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PTO/SB/05 (03-01)  
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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	9301-196-999	Total Pages	113
First Named Inventor or Application Identifier			
Mao Mao			
Express Mail Label No.	ER 505 058 712 US		

## APPLICATION ELEMENTS

See MPEP chapters 600 concerning utility patent application contents.

Address to:  
Commissioner for Patents  
P.O. Box 1450  
Mail Stop PATENT APPLICATION  
Alexandria, VA 22313-1450

1. ☒ Fee Transmittal Form  
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims Small Entity status, see 37 C.F.R. § 1.27
3. ☒ Specification [Total Pages 90]  
(preferred arrangement set forth below, MPEP 1503.01)
- Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R&D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description of the Invention (including drawings, if filed)
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 USC 113) [Total Sheets 16]
5. ☒ Oath or Declaration [Total Sheets 2]
- a. ☒ Original (unexecuted)
- b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
- i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. ☒ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☒ Computer Readable Form (CRF)
- b. ☒ Specification Sequence Listing on:
- i. ☒ CD-ROM or CD-R (2 copies); or
  - ii. ☐ paper
- c. ☒ Statement verifying identity of above copies



## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(i). Applicant must attach form PTO/SB/35 or it's equivalent
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) | of prior application No.: filed

Prior application information: Examiner: Group Art Unit:

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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JONES DAY  
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ATTORNEY DOCKET NO. 9301-196-999

Date: May 18, 2004

Commissioner for Patents  
P.O. Box 1450  
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Alexandria, VA 22313-1450

Sir:

The following utility patent application is enclosed for filing:

Applicant(s): Mao Mao Executed on: Unexecuted  
Title of Invention: HUMAN DIAPHANOUS-3 GENE AND METHODS OF USE THEREFOR

**PATENT APPLICATION FEE VALUE**

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	53	- 20	33	\$18.00 each	\$ 594
Independent	18	- 3	15	\$86.00 each	\$ 1290
Minimum Fee					\$ 770
Multiple Dependency Fee					\$ 0
If Applicable (\$290.00)					\$ 0
Total					\$ 2654
Applicant qualifies for the 50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					\$ 0
Total Filing Fee					\$ 2654

- ☐ **DO NOT PUBLISH.** I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).
- ☒ Priority of application no. 60/471,842 filed on May 19, 2003 is claimed under 35 U.S.C. § 119.
- ☐ The certified copy of the priority application has been filed in application no. filed on .

Please charge the required fee to Jones Day Deposit Account 503013. A copy of this sheet is enclosed.

Date: May 18, 2004

Respectfully submitted, *209-Nb. 49p20*  
*By: [Signature]*  
Adriane M. Antler 32,605  
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222 East 41st Street  
New York, New York 10017  
212-326-3939

Enclosure

This form is not for use with continuation, divisional, re-issue, design or plant patent applications.